

## COUNCIL CHAMBER

Special Meeting

May 30, 2017

A Special Meeting of City Council of Charleston was held May 30, 2017 convening at 5:00 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media May 24, 2017 and appeared in The Post and Courier May 28, 2017 and are made available on the City's website.

### PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember White	District 1	Councilmember Waring	District 7
Councilmember Williams	District 2	Councilmember Seekings	District 8
Councilmember Lewis	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Riegel	District 10
Councilmember Wagner	District 5	Councilmember Moody	District 11
Councilmember Gregorie	District 6	Councilmember Wilson	District 12

Mayor Tecklenburg called the meeting to order at 5:00 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, "I would like to call next, if you would like to join us, Councilmember Mitchell, would you please lead us in a prayer and the Pledge of Allegiance?"

Councilmember Mitchell opened the meeting with an invocation.

Councilmember Mitchell then led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, "In the most unlikely event that there were some kind of emergency, I just want to share with everyone, we have these two exit doors here from the main Chamber, and there is one exit door to the room to my right. Do not use the elevator if there were to be some kind of an emergency, but use the two stairways going down. Then we have the singular doorway out the front on the first floor. Again, in the unlikely event that were to occur, I ask everyone to then meet together in Washington Square Park.

Next, we have a presentation and a special recognition, a proclamation recognizing the Burke High School Class of 1967 Day. I would like to welcome Councilmember Gregorie and members, and a special shoutout, a welcome back, a homecoming to former Councilmember Brenda Scott being with us tonight."

There was applause in the Chamber.

Mayor Tecklenburg said, "Thank you for your many years of service. How many years did you serve, Brenda?"

Ms. Brenda Scott said, "Twenty-four years from 1975 to 1999."

Mayor Tecklenburg said, "Wow, 1975 to 1999, 24 years on City Council. Along with other members of the Burke High School Class of 1967, please come forward and join me. This year marks a significant milestone for the Class as they celebrate their 50<sup>th</sup> High School Reunion. Councilmember Gregorie, do you want to read the proclamation?"

Councilmember Gregorie said, "I can."

Mayor Tecklenburg said, "Okay, and then I'll just chime in at the end."

Councilmember Gregorie said, "I'll try. I'll chime in after you."

Mayor Tecklenburg said, "When we get down to, 'Now, therefore', I'll pick it up."

Councilmember Gregorie and Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

Mayor Tecklenburg said, "Congratulations."

There was a standing ovation.

Mayor Tecklenburg said, "Is the Class President here?"

Councilmember Gregorie said, "No, he's not."

Mayor Tecklenburg said, "Who was the Class President?"

Ms. Scott, "Arthur Gaillard. He's not here."

Mayor Tecklenburg said, "He's not here. Would anyone else like to say a word?"

Ms. Scott said, "Mayor Tecklenburg, I would just like to say that this distinguished Class of Burke High School, there have been three members that have been members of Charleston City Council, and that's myself, Dudley Gregorie, and also James Gallant. So, three of us from the Class of 1967."

Mayor Tecklenburg said, "Wow!"

There was applause in the Chamber.

Mayor Tecklenburg said, "1967 was a good year, wasn't it?"

The honorees said, "Yes, it was."

Ms. Maxine Frasier Riley said, "Today was our actual graduation day. Fifty years ago today, we graduated from Burke High School, May 30<sup>th</sup>, and we had about 233 graduates at that time."

Ms. Scott said, "About 1,600 students overall, right?"

Ms. Frasier Riley continued, "And 1,600 students at Burke overall."

The Clerk said, "Mayor, Marion is back there."

There was laughter in the Chamber.

Mayor Tecklenburg said, "Oh, yes, how are you? Would you like to say a word?"

Mr. Pyatt said, "No, I'm good."

There was laughter in the Chamber.

Arthur Lawrence said, "I would like to say a word."

Mayor Tecklenburg said, "Please step forward."

Mr. Lawrence continued, "Mr. Mayor, this is a fantastic Class. Our name is all over City Hall. If you look at some of the plaques on the wall, you see some of our names engraved there, but this Class has a story for Charleston. Coming through the '60s, and where we're at now from where we've been, should be a model for everyone in the City of Charleston. Working together, we can continue to move Charleston forward. We can't forget that all of us are in this together. If one fails, all fail, because this Class stuck together through hard times and good times. We took advantage of those things that we had available, and we didn't have everything that other people had available, but we still were successful in our lives. Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "Thank you all very much. Oh, we've got one more."

Mr. Paul Brown said, "On behalf of those who aren't here with us today, we are grateful for the opportunity and to be able to craft the words that were read and to encourage others to emulate that. Again, what you see is a true model. So, we're very thankful for this Class, was able to put some good things out here, some excellent things. On behalf of our educators, who invested in our lives, to where we are today, we hail them also. So, we really appreciate that. Mr. Mayor, thank you very much for the occasion today, and to City Council, I was about to get to the microphone because we grew up under all of that flooding."

There was laughter in the Chamber.

Mr. Brown said, "We were about to go to the microphone, but maybe another day. Again, thank you so much for preparing the document, and to the administrative assistant who prepared this. For the staff, we thank you very much for allowing us to have this occasion today at City Hall. We appreciate it. Thank you very much."

Mayor Tecklenburg said, "Thank you."

There was applause in the Chamber.

Mayor Tecklenburg said, "You all don't have to leave now. You can stick around. Alright. We'll come back to order, please. Now, just prior to starting our public hearings, I would like to make just a couple of quick announcements. I know everybody is enjoying our Spoleto and Piccolo Spoleto Festivals. They've just been underway since last Friday, so there is a good two weeks to go. There are tickets available. So, if you've been putting off buying your tickets and enjoying Spoleto and Piccolo, please take a look at the programs that are offered. They are really excellent this year.

Councilmembers, you did receive a packet, just pointing it out to you, so you will have full information about the current map of the Height District Ordinance changes and the BAR Ordinance changes that we will take up on June 20<sup>th</sup>. This matter did pass our Planning Commission last week, I believe, by an 8-1 vote. It will come back to Council for second reading only at our next meeting because we had agreed previously that when this came back to us from the Planning Commission, that we would still take our time and just give second reading and then wait another meeting to give it third reading. So, if you have any questions about what has been given out to you tonight, of course, you could contact me or our Planning Department before June 20<sup>th</sup>. Then, I want to share with everyone I know, Councilmembers Seekings and Williams know because they were there this morning, that we unveiled, officially, our Holy Spokes Bike Share Program. The bikes were disseminated, I think, to 24 different hub locations throughout the City. So, for the first time in our history, we have a Bike Share Program that will not only provide for health and wellness and exercise, but really as another mode of transportation in our City. I want to thank the Medical University of South Carolina. They are the primary sponsor of the Bike Share Program of Gotcha Bikes, which is the vendor, but this came, by the way, at no cost to the City of Charleston. It's totally being sponsored by the Medical University and other advertisers and sponsors. Gotcha Bikes is not some far away company. They are a local business here in Charleston, and they built the bikes on Huger Street. So, it's a very sustainable thing that we've done. I also want to thank Mike Messner for his contribution and sponsorship of the program, as well. We have our own City Hall hub that is right outside of City Hall. So, if you ever just get to a Council meeting by some other means, and you need to pick up a bike share, there is one right outside our door.

So, next, we're going to go to our public hearings, which was really the reason behind this Special Meeting of City Council tonight, because of a little error that occurred by the Post and Courier. No offense, Abigail. When they posted the advertisement, they didn't change the date from the last notice that they had, and so we needed to have this Special Meeting tonight to have these public hearings. Now, the first public hearing has in fact been withdrawn. This involved the property known as Ashley Hall Plantation because the owner/developer has now indicated that he does not wish to annex into the City of Charleston. So, we won't be zoning it, since he won't be annexing in, but just because we're all here, if anyone would like to come forward and speak on the matter of Ashley Hall, I'm going to allow that to occur. Would anyone like to be heard?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, we'll move on to our next public hearing, Mr. Morgan."

Christopher Morgan said, "Yes, sir. Thank you, Mr. Mayor and members of Council. This is E-2 at 350 Folly Road. It is a half-acre site. It's going from General Office to Limited Business. To orient you to the site, here is Folly Road. Our City Fire Department is just two doors down here at Meeting Street, and then the McLeod Plantation is just to the north in this location here. The zonings to the south of this property are typically Limited Business. To the north, they're more General Business oriented. So, when this request came in, our staff felt comfortable with the Limited Business request, as did the Planning Commission, who recommended for approval. We just have a few images of the site, if you would like to see those. Again, there's an existing structure on the site that has, I believe, a small school in it at present. They would like to upgrade it to be a more appropriate commercial use there."

Mayor Tecklenburg said, "Right. Would anyone like to be heard on this matter?"

Frank Graham said, "If not, I'm here on behalf of the owner."

Mayor Tecklenburg said, "Please come forward and introduce yourself and your address and speak in the microphone. Thank you, sir."

1. Frank Graham said his wife owns the property and he's had a law office at this location for a number of years and the property around him has become more commercial. He said the appropriate change would be to change it to Limited Business, as has been recommended.

Mayor Tecklenburg said, "Thank you very much. Would anyone else like to be heard on this matter?"

No one asked to speak.

Mayor Tecklenburg said, "If not, it comes before Council."

Councilmember Moody said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a motion and a second to approve. Is there any discussion or questions?"

On a motion of Councilmember Moody, seconded by Councilmember Mitchell, City Council voted unanimously to give first reading to the following bill:

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 350 Folly Road (James Island) (0.50 acre) (TMS #424-05-00-028) (Council District 11), be rezoned from General Office (GO) classification to Limited Business (LB) classification. The property is owned by Regina Brown.*

Mayor Tecklenburg said, "E-3, Mr. Morgan."

Mr. Morgan said, "It's 67 Moultrie Street in Hampton Park Terrace. This is a request to go from DR-1F, the existing zoning, to Commercial Transitional. To locate the property for you, this is Hampton Park to the north, Rutledge Avenue to the south, the old BoomTown site is in

the shopping center, or some folks may remember it as the Jaber's Supermarket here, and then there is a bank at the corner of Moultrie and Rutledge. This is immediately behind that. It's a residential structure. There is an aerial view of the site, a little bit tighter aerial view. There you can see the structure facing out towards Hampton Park. This is the structure in question. Again, it is a residential structure. Here's a view of it from the parking lot to the side. Here's the structure that's up, and there's a street view, as well. When this was at the Planning Commission, our staff discussed with the applicant, as did the Planning Commission, and there was also input from the neighborhood that a rezoning to Residential Office might be better received by the neighborhood. The applicant was open to that change in this request. So, the Planning Commission recommended for Residential Office on the site. The applicant is also going to pursue a Use Variance from the BZA for some uses that relate to some of the past history in the house. The history, the house has had non-residential uses in it in the past, and so we feel that the Use Variance process will work well for that. It's something that the neighborhood can have input on, as well, but the request before you tonight has been modified by the Planning Commission to be from the CT to the RO Residential Office Zoning District, and staff and the Commission recommend approval."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Yes, Mr. Mayor, I realize this is a public hearing, but I did want to point out we have our esteemed South Carolina Senator, Senator Marlon Kimpson, in the audience, and I wanted to point out his presence, sir."

Mayor Tecklenburg said, "You know I just noticed him. Good to see you, Senator, welcome. Would anyone like to be heard on this matter? Senator."

1. Senator Marlon Kimpson introduced his business partner Mike Greenlow and said they were fortunate enough to close on this property a couple of weeks ago. He said they have been working with Christopher Morgan and Planning Commission and they withdrew the request for Commercial Transition in support of the RO designation. He stated they will be back before the appropriate zoning body to have a light and low to moderate retail space with a variance. He said they hope that the Council sees fit to approve the request before the Council this afternoon.

Mayor Tecklenburg said, "Thank you. Could I ask everyone else in the Chamber, while we're conducting the meeting, to please be quiet? If you have a conversation that you need to conduct, please go outside. Would anyone like to be heard on this matter?"

Councilmember Lewis said, "Move that we approve."

Councilmember Williams said, "Second."

Mayor Tecklenburg said, "We have a motion to approve and a second. Is there any conversation?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I did have a question just for clarity. Mr. Morgan, in the event that he goes to the appropriate body and does not secure the variance, where would that leave this application?"

Mr. Morgan said, "It would have the RO designation on it, but we're hopeful that things will work well with the BZA on that."

Councilmember Waring said, "I am, too. Thank you."

On a motion of Councilmember Lewis, seconded by Councilmember Williams, City Council voted unanimously to give first reading to the following bill:

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 67 Moultrie Street (Hampton Park Terrace - Peninsula) (0.26 acre) (TMS #460-03-01-018) (Council District 3), be rezoned from Diverse Residential (DR-1F) classification to Residential Office (RO) classification. The property is owned by Choraliers Music Club Inc.*

Mayor Tecklenburg said, "Next would be Item E-4."

Mr. Morgan said, "This is 52 Line Street. This is another one that changed the actual request at the Planning Commission meeting. To orient you to the site, this is King Street running north and south, Post and Courier property immediately across the street to the south, and here's Line Street. The future Lowline location is here, and the Norfolk Southern right-of-way, and this actual property is part of Norfolk Southern's former right-of-way through here. The original request was MU-2/WH, but the applicant, before the Planning Commission, decided that it would work better to make it General Business and modified the request to that. The Planning Commission and staff recommend approval of General Business for this property."

Mayor Tecklenburg said, "Would anyone like to be heard on this matter?"

No one asked to speak.

Mayor Tecklenburg said, "Hearing none, it comes before Council."

Councilmember Waring said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Is there any discussion or further questions?"

On a motion of Councilmember Waring, seconded by Councilmember Mitchell, City Council voted to give first reading to the following bill:

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 52 Line Street (Peninsula) (approximately 0.90 acre) (right-of-way) (Council District 4), be rezoned from unzoned area to General Business (GB) classification. The property is owned by Norfolk Southern Rail.*

The vote was not unanimous. Councilmember Lewis voted nay.

Mayor Tecklenburg said, "Next Item E-5, Mr. Morgan."

Mr. Morgan said, "Okay, this is property that is on Johns Island. This is a parcel at 2935 Maybank Highway and an adjacent lot immediately to the east. The property was annexed, I'm sorry, I'm at the wrong number, excuse me. This is not 2935 Maybank Highway. This is Maybank Highway at Boyd Hayes Road, TMS #279-00-00-235 and #279-00-00-067. It's 16 acres, and it is a request to go from Conservation to a combination of Commercial Transitional on 3.7 acres here on this front portion on the southwest corner, Limited Business to .85 acre on this southeastern corner of the property, and DR-6 for 12.7 acres on the bulk of the property to the rear. You all might know this property from some of the aerials, and some of the images will show it has a huge number of very large oak trees towards the front of the property. We'll show some images from the street. Here's a little bit tighter view. Here is the existing Boyd Hayes Road, here in this location. The Charleston County Library is roughly across the street, the Johns Island Charleston County Library is roughly across the street. This is an image of where some of those oak trees are and the breakdown of the different zonings, 3.7 acres for the CT, .85 acre for the LB, and the 12.7 for the DR-6. Then, we have an image here that also shows where a good portion of the property is actually in one of the Maybank Center nodes, the Town nodes that were designated in the Johns Island Plan. So, that points out how it is appropriate for different zoning beyond just Conservation in this location, and also it shows up with a portion of the site designated that way in the Century V Plan, as well. There you go, on the western side, the southwestern corner of the site, and there you see it a little bit tighter on that image. We've got lots of images there, but it is wooded at the front. There are agricultural areas to the rear. Staff is comfortable with this rezoning. We've worked with the applicant to come up with concepts. We think the CT is going to be a very appropriate concept for the areas around the trees because it limits the size of the building footprint, which is very important when you're dealing with these grand oak trees. We've seen some conceptual layouts from the applicant that seem very attractive. It's kind of a Pawley's Island Hammock Shop-esque, small buildings, wooden structures that we think will be very appropriate to Johns Island and, again, very much in keeping with the recommendations of the Johns Island Plan. Both staff and Planning Commission recommend approval to this rezoning."

Mayor Tecklenburg said, "Alright. Would anyone like to be heard on this matter?"

Councilmember Mitchell said, "Move for approval."

Mayor Tecklenburg said, "We've got a motion to approve. Councilmember Williams."

Councilmember Williams said, "This is in Councilmember Wagner's Council District, and I certainly will support it. This property, the size of this development is very frightening. Behind this property across that way is Island Estate. Island Estate is at the back of this property, and right, that's Island Estate. Again, I don't know whether or not the residents are aware of this development. This development just impacts that neighborhood substantially, and especially as you go down Brownswood Road where all of that traffic is. There are just hundreds and hundreds of houses back there. As a matter of fact, I'll refer that call to Councilmember Wagner, but anyway, the size of this property is very alarming to me to the extent to what we have already done down Brownswood Road and Island Estate, and having that one light that goes out, but I'll refer those comments that I have to those who have called me concerned to Councilmember Wagner. It is kind of frightening. I spent ten years out there for Sea Island Habitat for Humanity. To see that parcel of property being developed that large is kind of frightening to me, but I'll just hold my comments and pass it on to him."

Mayor Tecklenburg recognized Councilmember Wagner.



Councilmember Wagner said, "The old Piggly Wiggly, Bi-Lo, it's right there at the lower portion. As you can see, that's Maybank Highway. That large canopy of oaks that is there, that's the front side, so it's going to maintain its canopy. You have to jump the ball fields to get over to Brownswood Road. It's not going to go over in that direction. You will notice it's going more, that would be north."

Mr. Morgan said, "Brownswood is a little bit further to the north here, kind of roughly in this picture."

Councilmember Wagner said, "As Christopher said, I met with them for about two hours this morning, going over this thing in pretty significant detail and, if you've ever gone up past the Pawley's Island Shops, you see how it's sort of built back into the woods. That's what he's talking about, and the area to the rear is going to be like we're set up here. You're going to drive in, and there will be three sets of buildings. There will be about five or six of them from what has been explained to me, I think about 60 units, 80 units, something in that neighborhood. So, it will be a series of small little homesteads that's going to be built in the trees, just like if you're going up Highway 17 and look at the Pawley's Island stuff, it's going to be all wooden, and then the back area, it looks like it's wooded, because it is, because that used to be a pasture, and the pine trees have taken over. So, there are no oaks there, and of all of the oaks on that property, they're going to lose one because it's dead. That kind of convinced me that that was a good thing. It's kind of like, I guess, what we've all envisioned Johns Island to look like. It's going to still look woodsy, it's still going to look country, and then you have to get off. Now, will there be traffic? Of course, you're coming back out on Maybank Highway, but it's going to back up almost to the park, but can you see it's not at the park just from where it is. Then Island Estate and all is on the other side and Dunn Moving is off to the left there. I think it's going to be good for that portion of Johns Island down near Main Road, not very far from the Angel Oak, and I don't have a problem with it. I did ask a whole lot of questions about how we're coming off the Conservation, too, and it came over to us because it was Conservation, from what I'm told, in the County before it came to the City."

Mayor Tecklenburg said, "How long has it been in the City, Mr. Morgan? Do you know?"

Mr. Morgan said, "I think it's been in the City for at least 20 to 25 years, I would guess."

Mayor Tecklenburg said, "I see."

Nancy Ritchie said, "Can I say something?"

Mayor Tecklenburg said, "Well, our public, you should have spoken out when we had our public input session, but I'm going to allow you to speak. Yes, ma'am. Please come forward and introduce yourself. Please come to the microphone. Please introduce yourself and your address."

1. Nancy Ritchie said she lives at 1650 Boyd Hayes Road and she is one of the four owners of this property in question. She, along with all of her family, lives in the woods back behind it and they are very excited about the plan for this piece of property. She said it's not cookie cutter like the rest of the development that is going on the Island and they are going to save the trees.

Mayor Tecklenburg said, "Thank you very much."

Councilmember Seekings said, "Is there a motion to approve?"

The Clerk said, "Yes, there is a motion."

Mayor Tecklenburg said, "We did have a motion to approve and a second."

The Clerk said, "I need the second."

Councilmember Seekings said, "Second."

Mayor Tecklenburg said, "Are there any further questions or discussion?"

The Clerk said, "Councilmember Wilson."

Mayor Tecklenburg said, "Oh, Councilmember Wilson, I'm sorry, I forgot."

Councilmember Wilson said, "Christopher, could you go back to the Johns Island Plan slide for a moment?"

Mr. Morgan said, "Sure. This one?"

Councilmember Wilson said, "Can you point out exactly where this property is on that map?"

Mr. Morgan said, "It's right in here. There's a blow up here of that."

Councilmember Wilson said, "That is running roughly east-west, that is Main Road right there?"

Mr. Morgan said, "Main Road. Yes."

Councilmember Wilson said, "That's Main Road?"

Mr. Morgan said, "Yes."

Councilmember Wilson said, "Just to be very clear, we kind of squelched Gathering Place at this area. You know when we had the whole Angel Oak debacle, that took a major, major parcel, of what would have been Gathering Place, off the table there. I'm not sure why the map is still showing the Gathering Place. Quite honestly, the whole Johns Island Plan probably needs a good overview. It's a good decade old now. That might be because you all don't have enough to do in Planning."

There was laughter in the Chamber.

Councilmember Wilson continued, "That might be something we take a look at, at some point, but I just wanted to point out that Gathering Place is somewhat null and void in that area now with the major changes being a little property. Also DR-6, that's roughly six units an acre?"

Mr. Morgan said, "Yes, ma'am."

Councilmember Wilson continued, "Are we looking at townhouses, or are we looking at

apartments there?”

Mr. Morgan said, “I think they are looking at apartments, excuse me, I think they are kind of like a patio home and a townhouse-type product there, because DR-6 is pretty low density if you were building apartments. We don’t see many multi-family. In fact, I can’t think of a multi-family complex we have that is DR-6 if it’s not townhouses, townhouse-type.”

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, “Yes, it was originally DR-12, and Christopher and company got him down to DR-6. So, I believe it’s down to townhouses now, and it’s not a huge number. They’re going to be in little nine unit clusters, where you pull in the front and then you park. Then, each one comes back out. More apartment complexes, sort of California-ish, or Florida-ish, as opposed to what we would normally see in the Charleston area, but I think that’s what I’ve always been envisioning that Johns Island could become, because it’s going to remain rural pretty much. You’re not going to see a ton of houses off to the left like when you’re coming down I-526 and looking off on either side of Daniel Island.”

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, “Thank you, Mr. Mayor. I think a lot of planning has gone into this, and when you look at the three different zoning categories, Limited Business, Commercial Transitional, and even Residential on the remainder of the property, that almost fits the definition of live, work, and play. People are literally subject to live in the rear of the property, subject to get a job at whatever forms Limited Business, and subject to go get something to eat at a restaurant at Commercial Transitional. So, that fits the definition of live, work, and play, my congratulations to the staff. It is not cookie cutter. I agree with the lady that spoke. So, I’m going to support the measure.”

Mayor Tecklenburg said, “Alright. Are there any other questions or comments?”

On a motion of Councilmember Mitchell, seconded by Councilmember Seekings, City Council voted unanimously to give first reading to the following bill:

*An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that property on Boyd Hayes Road (Johns Island) (16.026 acres) (TMS #279-00-00-235 and 279-00-00-067) (Council District 5), be rezoned from Conservation (C) classification to Commercial Transitional, Limited Business and Diverse Residential (CT, LB and DR-6) classifications. The property is owned by Nancy Ritchie, Carolyn Slay, John Hayes and Robert Hayes.*

Mayor Tecklenburg said, “E-6.”

Mr. Morgan said, “This is a recent annexation at 2935 Maybank Highway, 4.6 acres. This would come in as RO, Residential Office. It would match the zoning of property that just came into the City just to the west of it that was also RO, and it’s adjacent to the apartment complex that was completed in the last year or two just off of Maybank Highway. Both staff and Planning Commission recommend for the RO on this property.”

Mayor Tecklenburg said, “Would anyone like to be heard on this matter?”

No one asked to speak.

Councilmember Mitchell said, "Move for approval."

Councilmember Riegel said, "Second, Mr. Mayor."

Mayor Tecklenburg said, "We've got a motion and a second. Are there any questions or discussion from Council?"

Councilmember Moody said, "This is the Church Creek Drainage?"

The Clerk said, "No, that's next."

Mayor Tecklenburg said, "That's coming up next. This is for the zoning on 2935 Maybank Highway. Just to be clear, can we vote again on third reading and ratification?"

On a motion of Councilmember Mitchell, one (1) bill (Item E-6) received second reading. It passed second reading on motion by Councilmember Riegel and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Riegel, the rules were suspended, and the bill was immediately ratified as:

**2017-059** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 2935 MAYBANK HIGHWAY AND ADJACENT VACANT LOT (JOHNS ISLAND) (4.60 ACRES) (TMS #313-00-00-091 AND 313-00-00-089) (COUNCIL DISTRICT 5), ANNEXED INTO THE CITY OF CHARLESTON MARCH 14, 2017 (#2017-025), BE ZONED RESIDENTIAL OFFICE (RO) CLASSIFICATION. THE PROPERTY IS OWNED BY JAMES COYNE AND LAURA VANDERMOERE. **(AS AMENDED)**

Mayor Tecklenburg said, "Mr. Morgan, E-7."

Mr. Morgan said, "This is coming back to you from the Planning Commission, their review of the Church Creek Drainage Basin Moratorium, and the Planning Commission recommended in favor of the moratorium."

Councilmember Riegel said, "Move for approval, Mr. Mayor."

Councilmember Williams said, "Second."

Mayor Tecklenburg said, "Alright. We've got a motion and a second."

Mayor Tecklenburg recognized Councilmember Moody.

Councilmember Moody said, "Yes, one of the reasons I hate a moratorium is that we get things caught up in them that we really don't intend to get caught up. Within the Shadowmoss area, there is a project called Middleborough. It started out probably in the early 2000s, something like that, where they were developing, and they were going to have 50 buildings in this area, and each building would have six units in it. Well, they built three of them, and they started building two more when the recession hit, and the developer went into bankruptcy. The

Planning staff told the new developer that came in, that the two that had not been completed needed to be torn down, that they were not acceptable anymore. So, the plan has come back and now, they're going to have 15 rather than 50. There was some question from the developer, who was concerned about this because the bank was saying if this has got a moratorium on it, they were going to step away from this project. So, I called our counsel, Ms. Cantwell, and she said at the time she thought that maybe this was exempt. I said, 'well, that's probably not good enough to think it's exempt. We need something in writing.' So, I'm going to ask Ms. Cantwell to come up just to be sure that this particular project is not included in the exemption and that the City is going to, in effect, write a letter and, Frances can give us all that. Go ahead, Frances."

Frances Cantwell said, "Phase 2 of this property, which Councilmember Moody is referring to, received TRC approval that is still valid, and the ordinance specifically exempts from its reach, properties that have TRC approval. So, this property is exempt from the moratorium. We will be meeting with, whether I'm there or not, but I know the staff and the developer will be meeting to get the specifics down, so that we can write the letter that he needs for his bank and also for OCRM."

Councilmember Moody said, "Yes, I just wanted to get that on the record that, that one was exempt. So, thank you, Mr. Mayor."

Mayor Tecklenburg said, "Alright."

Mayor Tecklenburg recognized Councilmember Riegel.

Councilmember Riegel said, "Thank you, Mr. Mayor. Your in-laws are protected. So, just kidding about that. The plus of this is there will be a community clubhouse built, and there will be a pool built. These were all things that were promised by the original developer which all went sideways. So, I think it's a wonderful resolution to a situation that could have gone very badly for those owners in that division. So, I applaud Councilmember Moody for bringing it up and getting that clarified on the record. Thank you."

Mayor Tecklenburg said, "Thank you. Are there any other questions or comments?"

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "All I can say is when they first started this development, they did have all the retention ponds in for all 50 units. So, we've got about ten times the drainage that we would have had otherwise on this particular project, and it's next door to some of my area. I do know that developer, as well. So, since that area is close to Shadowmoss, which has had a problem over the years, the drainage will not be an issue there. In other words, they're going to take some of the overflow. So, I see nothing wrong with Councilmember Moody's clarification here."

Mayor Tecklenburg said, "We like good news. Alright. Are there any other comments or questions?"

On a motion of Councilmember Riegel, one (1) bill (Item E-7) received second reading. It passed second reading on motion by Councilmember Williams and third reading on motion of Councilmember Seekings. On further motion of Councilmember Mitchell, the rules were suspended, and the bill was immediately ratified as:

**2017-060** AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) BY ADDING TO ARTICLE 9, ADMINISTRATION AND ENFORCEMENT, A NEW PART 6, TEMPORARY MORATORIUM.(RELATED TO THE CHURCH CREEK DRAINAGE BASIN)

Mayor Tecklenburg said, "Next, we have a brief presentation for Council this evening. I know that we had a little presentation in Executive Session a meeting or two ago, but honestly, I don't know that I did a very great job presenting the ideas and objectives of the leadership of the Friends of the Lowline. So, we've asked them, with nothing for you to consider or approve tonight, but just to get a better concept of where they're going and what they're proposing for the Lowline. So, I'm going to call on Scott Parker to give us a little presentation. Scott, you've got it."

Scott Parker said, "Thank you, Mayor, and good evening, Mayor, and members of City Council. My name is Scott Parker. I'm a landscape architect and an urban designer, but tonight I come before you as a board member of the Friends of the Lowcountry Lowline. We are a non-profit 501(c)(3) entity that began our work four and a half years ago, and our mission is to convert 1.6 miles of unused railroad into a linear park. We have a 12-person board, many of whom are here this evening, and I am honored to serve with these individuals. Their names are on the screen there. I hope you can all see them. I'm honored to serve with these outstanding individuals who are dedicated to enhancing Charleston for all of its citizens. While our mission is focused on a linear park, I want to convey to you this evening that this is about so much more, and that with your support, our City and our region will be greatly enhanced.

The first thing you should know, and I suspect that you do, is that many cities across the country are engaged in transforming abandoned rail corridors into parks. The City of Charleston is doing this, and these efforts are transforming those cities into better places for the people that live there. The best known example is, perhaps, the Highline in New York which is this picture, as well as the next one (referring to the electronic presentation). Also, the 606 in Chicago, and if you will go through these, and the Beltline in Atlanta. The Beltline in Atlanta has literally brought real urbanism to perhaps the most car-centric un-urban city in America. So, these places are transforming the way that we live in our cities.

In Charleston, much of our corridor occurs under the elevated I-26, an area that separates neighborhoods in an area that has been long neglected. Our corridor runs through different neighborhoods and different districts of our City. Our vision is unique to Charleston. We envision a series of unique places or parks that celebrate and enhance the character of each neighborhood and district through which it will run. This will be a place for all of our citizens, and a place that brings all of our citizens together. So, Walter Isaacson in his book, 'The Innovators', this is the gentleman that wrote the book on Steve Jobs, states that parks are the key element that will enable our city and country to continue to lead the world in innovation. Our public spaces are where many different people come together to exchange ideas, and that is what drives innovation. This is our vision for the Lowline. We believe the Lowline will become a key segment in a larger network of linear parks that will run throughout our region. This network will connect the Peninsula to West Ashley, to North Charleston, and to Mt. Pleasant. This green infrastructure will bring our region together. Importantly, this green infrastructure and network will enable alternate modes of transportation helping to solve our current transportation challenges.

So, one thing I want to talk about a little bit is, when we are walking or biking, we

experience our city and neighborhoods in a more humane way. We're not trying to cut off another car or complain about inept drivers. Rather, we engage with people, we make eye contact, we see each other as fellow human beings, we're more compassionate, and we're more human. Frederick Law Olmsted was the designer of our country's greatest parks, and they are all very beautiful places. One would think that Olmsted would write about his designs and how beautiful they were. In fact, he wrote about the social benefits of parks, how people confined in cities could benefit through engagement with nature and through engagement with each other. I know this because we studied Olmsted in school where we referred to him as 'The Great One'. I also know this because one of my fellow board members and a force behind the Lowline, Mike Messner, produced a documentary that his daughter wrote and directed on Olmsted, and this documentary still airs on PBS. I would highly recommend that you all might want to take a look at that. I told Mike tonight I was going to say a few words about him, and he asked me not to, but I'm going to anyway. So, this is a little digression, but I think important.

In my opinion, there is no better champion for parks in our country or region than the team of Mike and Jenny Messner. Mike and Jenny have been supporting urban parks through their foundation, the Speedwell Foundation. Mike grew up in Atlanta. He has a civil engineering degree from Georgia Tech, and he has done well in investments. During the real estate financial crisis, Jenny and Mike funded research at Georgia Tech called Red Fields to Green Fields. This is focused on retrofitting suburbs by transforming unviable commercial developments into parks. Locally, Mike and Jenny have helped fund the acquisition of 85 acres for a waterfront park along the Stono River connected to the West Ashley Bikeway, as well as land acquisition for 55 acres for the old Baker Hospital property in North Charleston to be a county park. Mike's wife, Jenny, and I serve on the Board of the Charleston Parks Conservancy together where she is a force behind much of the outstanding work that the Conservancy does. Mike has led the negotiations with Norfolk Southern and with the Line Street developers that I'll mention in a minute, and Charleston is truly fortunate that Mike and Jenny have decided to make our City their home. So, I hope you're beginning to sense what the Lowline can mean to our citizens, our City, our region, and our neighborhoods.

The next question is economics. So, we retained the firm, HRA, in particular a gentleman named John Alschuler, who was involved with the Highline in New York, to analyze the economic impact of the Lowline. The results were staggering, way beyond what we imagined. We did this study only a year ago because economic impact was not our initial motivation, but it does confirm how much value our community will place on the Lowline. In brief, in 20 years, the Lowline could generate \$4.8 billion in total economic output. It could create 4,600 permanent jobs and produce roughly \$200 to \$250 million in tax revenues to the City. All I can say to that is 'Wow!'. We have found that the development community understands what this part can be. Often, we don't see what is right before our eyes. When Bob Stern presented their initial design for Courier Square, I must confess, I was surprised at how the building design focused on the future Lowline Park. They clearly understood what the Lowline could be. Accordingly, the Lowline Board has reached out to, and partnered with, a development community south of the Crosstown where the park will be the central focus for the core of our downtown. These property owners must know that the City is fully committed to the Lowline. With that commitment, we can engage with these partners to help finance most of the improvements for the entire corridor.

So, this brings us to where we are today. The Friends of the Lowline has a purchase option with Norfolk Southern for the corridor and associated properties for \$17.5 million, and this option must be completed within three months. From the very beginning of this effort, we have focused on acquiring the property, for nothing can happen without it. This has been something

that has been talked about in this community for the 25 years that I have lived here. We realized years ago, when we first started, that property values in the core were escalating, Norfolk Southern would probably start selling their property, and that the ability to create the public park corridor could be lost forever. Their initial appraisal was \$26.5 million. A tremendous effort by many has gotten us to this point. Over the ensuing years, Norfolk Southern has become a reasonable party to our negotiations, not a great party, but a reasonable party. They've agreed to remove some parcels from our purchase agreement. A parcel that the Friends of the Lowline had earmarked to go to the City for affordable housing will now be excluded from the purchase, and a parcel at the northern end, also slated to go to the City, for a new visitor's center or transportation hub will be removed from the transaction. Hopefully, the City will pursue these parcels independently, as they would dovetail so well with our vision for the Lowline. Two development parcels on Line Street, for which the Friends of the Lowline have established purchase and sale agreements, will also dramatically reduce the price. These efforts, effectively, bring the acquisition down to several million dollars. So, we are close to achieving the first critical step, which is acquiring the property. While this has been our primary focus, our staff and board have done an outstanding job with community outreach. The citizens of Charleston want the Lowline to happen. We have raised and invested over \$500,000 in this effort to date. We have much to do, and we need your support, or this opportunity will be at least marginalized, or the unthinkable, lost forever. We hope this evening has provided you with a better understanding of the enormity of this opportunity for our City, and thank you for your time. I have a handout I'm going to pass around."

Mayor Tecklenburg said, "Thank you, Mr. Parker."

Mr. Parker said, "You're welcome. If you have any questions, I'm happy to answer them, or if not."

Mayor Tecklenburg recognized Councilmember White.

Councilmember White said, "Of the time that you all have been organized and had the property under contract, you all have raised \$500,000 for the capital campaign?"

Mr. Parker said, "No, the \$500,000 has basically gone into a number of things. It's gone into our operations, our community outreach, the legal fees associated with putting the deal together and being sure we can get title to the property, the Economic Impact Study, a study done on urban design, suggestions for the corridor that were given to the Planning Department, those kinds of efforts."

Councilmember Riegel was excused from the Chamber at 5:48 p.m.

Councilmember White said, "So, how much have you all raised for your capital campaign so far?"

Mr. Parker said, "We don't have a capital campaign so far. So, what we're focused on is getting the deal done with Norfolk Southern, and then once we get that done, then we will go into, as I mentioned in my discussion, reaching out to the community to raise the money to build the park."

Councilmember White said, "Thank you."

Mr. Parker said, "You're welcome. Alright. Thank you very much."



Mayor Tecklenburg said, "Thank you very much, Mr. Parker."

Mr. Parker said, "Thank you."

Mayor Tecklenburg said, "So, next will be our, I think, singular Committee Report, Chairman Moody."

Councilmember Moody said, "Move for approval of the Ways and Means Report."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Is there any discussion or questions?"

No one asked to speak.

On a motion of Councilmember Moody, seconded by Councilmember Shahid, City Council voted to adopt the Committee on Ways and Means Report as presented:

---INSERT WAYS AND MEANS REPORT---

A Resolution providing for an election for the determination of the question of whether the City of Charleston shall be empowered to issue and sell General Obligation Bonds of the City of Charleston in the amount not exceeding \$20,000,000 and for the purposes of providing affordable housing as set forth herein.

Public Service: Approval of a base contract with Weston & Sampson engineers to perform a detailed analysis and report for storm drainage conditions, flood reduction, and suggested improvements in the Church Creek Drainage Basin. The contract is not to exceed \$300,000.

Councilmember Riegel was not present for the vote.

Mayor Tecklenburg said, "Bills up for second reading, I-1."

The Clerk said, "I-1 is withdrawn."

Mayor Tecklenburg said, "I-1 has been withdrawn. Do we need a motion to officially withdraw that one?"

The Clerk said, "We can do that, but it was part of the original property that was withdrawn, but we can do a motion."

Councilmember Mitchell said, "We better do it to make sure."

Councilmember White said, "Move to withdraw Item I-1."

Councilmember Williams said, "Second."

Mayor Tecklenburg said, "We have a motion and a second."

Councilmember Williams said, "I'd like to make the motion."

The Clerk said, "Okay, so Councilmember White's giving the motion to Councilmember Williams."

Councilmember White said, "Okay."

Councilmember Mitchell seconded the motion.

Mayor Tecklenburg said, "We have a motion to withdraw the annexation of the Ashley Hall Plantation property. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Williams, seconded by Councilmember Mitchell, City Council voted to withdraw Item I-1 from the agenda:

*An ordinance to provide for the annexation of property known as property located on Ashley Hall Plantation Road (44.59 acres) (TMS# 353-00-00-003 and 353-00-00-004), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 2. The property is owned by the Estate of Rosina Kennerty Siegnious. (WITHDRAWN)*

Councilmember Riegel was not present for the vote.

Mayor Tecklenburg said, "Next, we have Item I-2 which is to separate the Arts and History Commission into two."

Councilmember Gregorie said, "Move for approval."

Councilmember Mitchell said, "Second."

The Clerk said, "Okay, we're going to take them one by one?"

Mayor Tecklenburg said, "You all want to take these together?"

Councilmember Mitchell said, "All of them together."

The Clerk said, "Okay, so it would be I-2 through I-4. Also, I-5, I-6, and I-7 are being deferred, and I-8. So, it would be I-2, I-3, I-4, and I-8."

Councilmember White said, "So moved."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Okay, we've got a motion to take I-2, I-3, I-4, and I-8 together. We have a motion and second. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember White, four (4) bills (Items I-2, I-3, I-4, and I-8) received second reading. They passed second reading on motion by Councilmember Shahid and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Gregorie, the rules were suspended, and the bills were immediately ratified as:

- 2017-061** AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 2, ARTICLE IV, TO SEPARATE THE ARTS AND HISTORY COMMISSION INTO TWO SEPARATE COMMISSIONS, AND TO PROVIDE FOR THE MEMBERSHIP, THE TERMS OF OFFICE AND THE POWERS FOR EACH COMMISSION.
- 2017-062** AN ORDINANCE TO MAKE ADDITIONAL APPROPRIATIONS TO MEET THE LIABILITIES OF THE CITY OF CHARLESTON FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016.
- 2017-063** AN ORDINANCE TO RECOGNIZE THE USAGE OF ADDITIONAL FUNDS TO MEET ADDITIONAL APPROPRIATIONS AUTHORIZED BY ORDINANCE 2017-062 FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016
- 2017-064** AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY THE NECESSARY DOCUMENTS TO EFFECTUATE THE LAND TRANSFERS CONTEMPLATED BY THE FOURTH AMENDMENT TO THE DANIEL ISLAND DEVELOPMENT AGREEMENT, TO INCLUDE BUT NOT BE LIMITED TO: A TRAIL EASEMENT TO DANIEL ISLAND TOWN ASSOCIATION, INC.; A DEED TO DANIEL ISLAND TOWN ASSOCIATION, INC. PERTAINING TO CITY OWNED PROPERTY BEARING TMS NO. 275-00-00-148 (LOT 1, PARCEL R, BLOCK O), ALONG WITH AN ASSIGNMENT OF U.S. ARMY CORPS OF ENGINEERS PERMIT NO. 2000-IP-319; A DEED TO DANIEL ISLAND TOWN ASSOCIATION, INC. PERTAINING TO PROPERTY TO BE RECEIVED BY THE CITY THAT WILL COMPRISE A WATERFRONT PARK; AND A GROUND LEASE TO DANIEL ISLAND TOWN ASSOCIATION, INC. PERTAINING TO CITY OWNED PROPERTY COMPRISED OF 32.340 ACRES (PARCEL AA, PHASE 5) AND 19.812 ACRES (PARCEL AA, PHASE 2) AND A MORTGAGE SATISFACTION.

Councilmember Riegel was not present for the vote.

Mayor Tecklenburg said, "I think the only other thing is for me to sign these ordinances while we're in session, so if you all will bear with me one second. The next meeting, I think as you all know, will be on Tuesday, June 20<sup>th</sup> right here at good old City Hall. Is there any other business to come before this Council tonight?

Mayor Tecklenburg recognized Councilmember Wagner.

Councilmember Wagner said, "I-5, I-6, and I-7 are deferred?"

Mayor Tecklenburg said, "That's what I'm told."

The Clerk said, "I-5, I-6, and I-7 are deferred. Yes, that's what we were told, that I-5, I-6, and I-7 are deferred."

Mayor Tecklenburg said, "I have no knowledge of that personally. I'm relying on the Clerk."

There was laughter in the Chamber.

Councilmember Wagner said, "I don't either. They're all in District 5. I was just curious."

Mayor Tecklenburg said, "Is Planning here?"

Mr. Lindsey said, "Yes, sir."

Mayor Tecklenburg said, "Do we have any information about the deferral of I-5, I-6, and I-7?"

Councilmember Riegel returned to the Chamber at 6:10 p.m.

Mr. Lindsey said, "I do not, Mayor. That was a direct e-mail to one of my staff."

The Clerk said, "Did Philip (Overcash) send that, Jennifer? Well, Philip knows about it."

Mr. Lindsey said, "Right. It was a direct e-mail to one of my staff members, and I don't have any additional information on it."

Mayor Tecklenburg said, "Jennifer."

The Assistant Clerk said, "From the e-mail I received, I think they want to wait until the zoning comes back at the same time, so that they can be taken together at the same time the zoning is being taken up."

Mayor Tecklenburg said, "Does that make sense? I didn't hear."

Councilmember Wagner said, "Does there need to be a motion to defer or something?"

Mayor Tecklenburg said, "They requested the deferral. The owners did, correct?"

The Assistant Clerk said, "Yes."

The Clerk said, "Okay. He can make a motion to defer. That's fine."

Councilmember Riegel said, "So moved."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "We have a motion to defer and a second."

On a motion of Councilmember Riegel, seconded by Councilmember Shahid, City Council voted to defer Items I-5, I-6, and I-7:

*An ordinance to provide for the annexation of property known as properties on Maybank Highway and Zelasko Drive (20.858 acre) (TMS# 313-00-00-071; and 313-00-00-072, 073, 231, 252, 332), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by estate of Thomas S. Morris. (DEFERRED)*

*An ordinance to provide for the annexation of property known as 3037 Maybank Highway (5.578 acre) (TMS# 313-00-00-075), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Julian & Constance Kornahrens. (DEFERRED)*

*An ordinance to provide for the annexation of property known as a portion of 2115 River Road (6.13 acre) (a portion of TMS# 345-00-00-067), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Susan P. Polk & Laurie Edward Polk. (DEFERRED)*

Mayor Tecklenburg said, "Is there any other business to come before this Council tonight? There being none, we hereby are adjourned."

There being no further business, the meeting was adjourned at 6:13 p.m.

Vanessa Turner Maybank  
Clerk of Council